

or equivalent. Upon satisfactory completion of 2 years of substantially continuous service, the incumbent's VRA must be converted to a career or career conditional appointment. An individual may receive more than one VRA appointment as long as the individual meets the definition of a *covered veteran* at the time of appointment.

#### § 307.104 Treatment of individuals serving under VRAs.

(a) Because VRAs are made to positions otherwise in the competitive service, the incumbents, like competitive service employees, may be reassigned, promoted, demoted, or transferred in accordance with the provisions of part 335 of this chapter.

(b) A veteran with less than 15 years of education must receive training or education prescribed by the agency.

(c) Appointments are subject to investigation by OPM. A law, Executive order, or regulation that disqualifies a person for appointment in the competitive service also disqualifies a person for a VRA.

(d) The Veterans Recruitment Appointment date for a *recently separated veteran* must occur before the end of the 3-year eligibility period and may not be extended.

#### § 307.105 Appeal rights.

Individuals serving under VRAs have the same appeal rights as excepted service employees under parts 432 and 752 of this chapter. In addition, as established in § 315.806 of this chapter, any individual serving under a VRA, whose employment under the appointment is terminated within 1 year after the date of such appointment, has the same right to appeal that termination as a career or career-conditional employee has during the first year of employment.

### PART 308—VOLUNTEER SERVICE

Sec.

308.101 Definitions.

308.102 Eligibility and status.

308.103 Authority.

AUTHORITY: 5 U.S.C. 3111.

SOURCE: 44 FR 51183, Aug. 31, 1979, unless otherwise noted.

#### § 308.101 Definitions.

In this part: *Student* is an individual who is enrolled not less than half-time in a high school, trade school, technical or vocational institute, junior college, college, university or other accredited educational institution. An individual who is a student is deemed not to have ceased to be a student during an interim between school years if the interim is not more than 5 months and if such individual shows to the satisfaction of the agency that the individual has a bona fide intention of continuing to pursue a course of study or training in the same or different educational institution during the school semester (or other period into which the school year is divided) immediately after the interim.

*Volunteer Service* under the Act is limited to services performed by a student, with the permission of the institution at which the student is enrolled, as part of an agency program established for the purpose of providing educational experience for the student. Such service is to be uncompensated and will not be used to displace any employee or to staff a position which is a normal part of the agency's work force.

#### § 308.102 Eligibility and status.

(a) *Minimum Age*. The selection of students to participate under the program should be in conformance with either Federal, State, or local laws and standards governing the employment of minors.

(b) *Status*. A student participating under an agency volunteer program is not considered to be a Federal employee for any purposes other than injury compensation or laws related to the Tort Claims Act. Service is not creditable for leave accrual or any other employee benefits.

#### § 308.103 Authority.

Section 301 of the Civil Service Reform Act of 1978, Public Law 95-454, authorized Federal departments and agencies to establish programs designed to provide educationally related work assignments for students in non-pay status.

## PART 310—EMPLOYMENT OF RELATIVES

Sec.

310.101 Legal restrictions on public officials in the employment of relatives.

310.102 Exceptions to the legal restrictions on the employment of relatives.

AUTHORITY: 5 U.S.C. 3110.

SOURCE: 70 FR 20457, Apr. 20, 2005, unless otherwise noted.

### § 310.101 Legal restrictions on public officials in the employment of relatives.

Section 3110 of title 5, United States Code, sets forth the legal restrictions on the employment of relatives.

### § 310.102 Exceptions to the legal restrictions on the employment of relatives.

Subsection (d) of 5 U.S.C. 3110 authorizes the Office of Personnel Management to prescribe regulations authorizing the temporary employment of relatives, in certain conditions, notwithstanding the restrictions. This regulation sets forth exceptions to the restrictions. When necessary to meet urgent needs resulting from an emergency posing an immediate threat to life or property, or a national emergency as defined in § 230.402(a)(1) of this title, a public official may employ relatives to meet those needs without regard to the restrictions on the employment of relatives in 5 U.S.C. 3110. Such appointments are temporary and may not exceed 30 days, but the agency may extend such an appointment for one additional 30-day period if the emergency need still exists at the time of the extension.

## PART 315—CAREER AND CAREER-CONDITIONAL EMPLOYMENT

### Subpart A [Reserved]

### Subpart B—The Career-Conditional Employment System

Sec.

315.201 Service requirement for career tenure.

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### Subpart E—Career or Career-Conditional Employment by Transfer

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315.502 Tenure on transfer.

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### Subpart F—Career or Career-Conditional Appointment Under Special Authorities

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315.603 Appointment based on former incumbency of a position brought into the competitive service.

315.604 Employment of disabled veterans who have completed a training course under Chapter 31 of title 38, United States Code.

315.605 Appointment of former ACTION volunteers.

315.606 Noncompetitive appointment of certain present and former Foreign Service officers and employees.

315.607 Noncompetitive appointment of present and former Peace Corps personnel.

315.608 Noncompetitive appointment of certain former overseas employees.

315.609 Appointment based on service in United States positions of the Panama Canal Commission.

315.610 Noncompetitive appointment of certain National Guard technicians.

315.611 Appointment of certain veterans who have competed under agency merit promotion announcements.

315.612 Noncompetitive appointment of certain military spouses.

### Subpart G—Conversion to Career or Career-Conditional Employment From Other Types of Employment

315.701 Incumbents of positions brought into the competitive service.

315.702 Employees serving without competitive examination in rare cases.